

H.R. 4545 AS REPORTED
BY THE SUBCOMMITTEE ON RAILROADS
ON MAY 8, 2002

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Amtrak Reauthoriza-
3 tion Act of 2002”.

4 SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

5 Section 24104 of title 49, United States Code, is
6 amended to read as follows:

7 “§ 24104. Authorization of appropriations

8 “(a) CAPITAL EXPENDITURES.—There are author-
9 ized to be appropriated to the Secretary of Transportation,
10 for the benefit of Amtrak, \$800,000,000 for fiscal year
11 2003 for capital expenditures under chapters 243, 247,
12 and 249 of this title.

13 “(b) OPERATING EXPENSES.—There are authorized
14 to be appropriated to the Secretary, for the benefit of Am-
15 trak, \$200,000,000 for fiscal year 2003 for operating ex-
16 penses.

17 “(c) EXCESS RAILROAD RETIREMENT OBLIGA-
18 TIONS.—In addition to amounts authorized under sub-
19 sections (a) and (b), there are authorized to be appro-

1 priated to the Secretary such sums as may be necessary
2 for fiscal year 2003, for the benefit of Amtrak, to pay the
3 amount Amtrak is required to pay under section 3221 of
4 the Internal Revenue Code of 1986 that is more than the
5 amount needed for benefits for individuals who retire from
6 Amtrak and for their beneficiaries. Amounts appropriated
7 under this subsection are not a United States Government
8 subsidy of Amtrak.

9 “(d) RAIL SECURITY.—In addition to amounts au-
10 thorized under subsections (a), (b), and (c), there are au-
11 thorized to be appropriated to the Secretary, for the ben-
12 efit of Amtrak, for fiscal year 2003—

13 “(1) \$375,000,000 for grants to finance the
14 cost of enhancements to the security and safety of
15 Amtrak intercity rail passenger service; and

16 “(2) \$400,000,000 for grants for life safety im-
17 provements to 6 New York Amtrak tunnels com-
18 pleted in 1910, the Baltimore & Potomac Amtrak
19 tunnel completed in 1872, and the Washington, D.C.
20 Union Station Amtrak tunnels completed in 1907
21 under the Supreme Court and House and Senate Of-
22 fice Buildings.

23 “(e) PAYMENT TO AMTRAK.—Amounts appropriated
24 under this section shall be paid to Amtrak under the budg-
25 et request of the Secretary as approved or modified by

1 Congress when the amounts are appropriated. A payment
2 may not be made more frequently than once every 90 days,
3 unless Amtrak, for good cause, requests more frequent
4 payment before a 90-day period ends. In each fiscal year
5 in which amounts are authorized to be appropriated under
6 this section, amounts appropriated shall be paid to Am-
7 trak as follows:

8 “(1) 50 percent on October 1.

9 “(2) 25 percent on January 1.

10 “(3) 25 percent on April 1.

11 Payments under this subsection may only be made after
12 receipt of all documents then due under section 3(b) of
13 the Amtrak Reauthorization Act of 2002.

14 “(f) AVAILABILITY OF AMOUNTS AND EARLY APPRO-
15 PRIATIONS.—(1) Amounts appropriated under this section
16 remain available until expended.

17 “(2) Amounts for capital acquisitions and improve-
18 ments may be appropriated in a fiscal year before the fis-
19 cal year in which the amounts will be obligated.

20 “(g) LIMITATIONS ON USE.—Amounts appropriated
21 under this section may not be used to subsidize operating
22 losses of commuter rail passenger or rail freight transpor-
23 tation.”.

24 **SEC. 3. AMTRAK FISCAL YEAR 2003 OVERSIGHT.**

25 (a) CAPITAL EXPENDITURE WORK PLAN.—

1 (1) REQUIREMENT.—Not later than October 1,
2 2002, Amtrak shall transmit to the Secretary, the
3 Inspector General of the Department of Transpor-
4 tation, the Committee on Transportation and Infra-
5 structure of the House of Representatives, and the
6 Committee on Commerce, Science, and Transpor-
7 tation of the Senate, a work plan for projects to be
8 funded for fiscal year 2003 under section 24104(a)
9 of title 49, United States Code.

10 (2) CONTENTS.—The work plan required by
11 paragraph (1) shall include a description of the work
12 to be funded, along with cost estimates and an esti-
13 mated timetable for completion of the projects cov-
14 ered by the work plan.

15 (3) SUPPLEMENTAL QUARTERLY REPORTS.—
16 Not later than January 1, 2003, April 1, 2003, July
17 1, 2003, and September 30, 2003, Amtrak shall
18 transmit to the Secretary, the Inspector General of
19 the Department of Transportation, the Committee
20 on Transportation and Infrastructure of the House
21 of Representatives, and the Committee on Com-
22 merce, Science, and Transportation of the Senate, a
23 supplemental quarterly report regarding the work
24 plan transmitted under paragraph (1), which shall
25 describe the work completed to date under the work

1 plan, any changes to the work plan, and the reasons
2 for such changes. The supplemental quarterly report
3 shall also include an amended work plan to reflect
4 any such changes.

5 (4) NOTICE OF CHANGES.—If the scope, time-
6 table, or cost of a project covered by a work plan
7 under this subsection substantially changes, Amtrak
8 shall notify the Inspector General of the Department
9 of Transportation within 30 days after Amtrak
10 learns of the change.

11 (b) AMTRAK FISCAL YEAR 2003 BUSINESS PLAN
12 AND ASSESSMENT.—

13 (1) BUSINESS PLAN.—Not later than Sep-
14 tember 1, 2002, Amtrak shall transmit to the Sec-
15 retary, the Inspector General of the Department of
16 Transportation, the Committee on Transportation
17 and Infrastructure of the House of Representatives,
18 and the Committee on Commerce, Science, and
19 Transportation of the Senate, a comprehensive busi-
20 ness plan for fiscal year 2003, including targets for
21 ridership, revenues, capital expenditures, and oper-
22 ating expenses. The plan shall include a separate ac-
23 counting of such targets for each of the following
24 business units:

25 (A) Northeast Corridor.

1 (B) Amtrak West.

2 (C) Intercity.

3 (D) Corporate.

4 (E) Any other business unit established by
5 Amtrak.

6 In addition, Amtrak shall provide a separate ac-
7 counting of such targets for Contract Operations,
8 Mail and Express, Autotrain, and each long-distance
9 intercity train operation.

10 (2) ASSESSMENT.—Not later than April 1,
11 2003, Amtrak shall transmit to the Secretary, the
12 Inspector General of the Department of Transpor-
13 tation, the Committee on Transportation and Infra-
14 structure of the House of Representatives, and the
15 Committee on Commerce, Science, and Transpor-
16 tation of the Senate—

17 (A) an assessment of the extent to which
18 each goal identified in the plan transmitted
19 under paragraph (1) has been achieved;

20 (B) an explanation if a goal was not
21 achieved; and

22 (C) a description of any changes to the
23 business plan.

24 The assessment required under subparagraph (A)
25 shall be prepared by an outside financial consultant,

1 which shall not be an entity that has assisted Am-
2 trak in the preparation of a business plan under
3 paragraph (1).

4 (c) CERTIFICATION.—The President and the Board
5 of Directors of Amtrak shall certify in a sworn statement
6 each document required by this section to be transmitted
7 to the Secretary, the Inspector General of the Department
8 of Transportation, the Committee on Transportation and
9 Infrastructure of the House of Representatives, and the
10 Committee on Commerce, Science, and Transportation of
11 the Senate.

12 (d) INSPECTOR GENERAL REVIEW.—

13 (1) REQUIREMENT.—The Inspector General of
14 the Department of Transportation shall review each
15 work plan, supplemental quarterly report, business
16 plan, and assessment transmitted by Amtrak under
17 subsection (a) or (b), and shall transmit a report on
18 each such review, including the Inspector General's
19 recommendations relating thereto, to the Secretary,
20 the Committee on Transportation and Infrastructure
21 of the House of Representatives, and the Committee
22 on Commerce, Science, and Transportation of the
23 Senate.

24 (2) ASSESSMENT.—Each report transmitted by
25 the Inspector General under paragraph (1) shall in-

1 clude an assessment of whether Amtrak has spent
2 funds made available under section 24104 of title
3 49, United States Code, in compliance with the rel-
4 evant work plan, supplemental quarterly report,
5 business plan, and assessment, including amend-
6 ments and changes thereto.

7 (3) OVERSIGHT.—The Inspector General shall
8 conduct oversight activities, including inspections as
9 necessary, to ensure appropriate progress of projects
10 covered by a work plan under subsection (a). Am-
11 trak shall make available for inspection all informa-
12 tion requested by the Inspector General.

13 (e) COMPTROLLER GENERAL AUDIT.—

14 (1) AUDIT.—Not later than March 1, 2003, the
15 Comptroller General shall audit Amtrak's accounting
16 procedures and practices, and shall transmit a re-
17 port on such audit, including the Comptroller Gen-
18 eral's recommendations relating thereto, to the Com-
19 mittee on Transportation and Infrastructure of the
20 House of Representatives and the Committee on
21 Commerce, Science, and Transportation of the Sen-
22 ate.

23 (2) ASSESSMENT.—The report transmitted
24 under paragraph (1) shall include an assessment of
25 whether Amtrak's accounting procedures and prac-

1 tices are sufficient to allow a determination of how
2 funds made available under section 24104 of title
3 49, United States Code, are spent.

4 (3) AVAILABILITY OF INFORMATION.—Amtrak
5 shall make available for inspection all information
6 requested by the Comptroller General.